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To: Examiner S. Nguyen, Group Art Unit 2731

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From: David S. Bir, Reg. No. 38,383

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Message:

37 C.F.R.

PROPOSED RESPONSE UNDER ~~37 C.F.R.~~ § 1.116

Re: Applicants Joel E. Short et al.

USPN 09/041,534; Filed 3/12/98

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JOEL E. SHORT et al.

Group Art Unit:2731

Serial No.: 09/041,534

Examiner: S. Nguyen

Filed: March 12, 1998

For: NOMADIC TRANSLATOR OR ROUTER

Attorney Docket No.: NOMI 0109 PUS

PROPOSED RESPONSE UNDER 37 C.F.R. § 1.116Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Advisory Action mailed March 3, 2000, please consider the following remarks.

Remarks

The prior art references relied on by the Examiner, including U.S. Pat. No. 5,539,736 to Johnson et al., are believed to be distinguishable based on Applicants' currently pending claims as discussed in detail below. In general, all of the references relied upon by the Examiner assume and/or require a proper configuration (or compatibility) to establish communication with the device when first connected to the network – the present invention as disclosed and claimed does not. This concept is present in each of Applicants' independent claims although recited differently and with varying levels of specificity. Because Applicant's invention does not require or assume a proper, compatible configuration, Applicants had to devise a strategy to establish communication with an improperly configured (incompatible)

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

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